

**REMARKS**

Claims 7-18 and 21-25 remain pending in this application. Claims 1-18 and 21-25 are rejected. Claims 1-6, 19 and 20 are previously cancelled.

Applicant herein traverses and respectfully requests reconsideration of the rejection of the claims cited in the above-referenced Office Action.

Claims 7-18 and 21-25 are rejected as obvious over Kishida et al. (US 7,055,955) in view of Monchalin et al. (US 6,078,397), and further in view of Hatschek (US 5,309,916) under 35 U.S.C. §103(a). The applicant herein respectfully traverses this rejection.

The applicant and applicant's attorney appreciate the Examiner's granting of the telephone interview conducted on July 19, 2010, and extend their thanks to the Examiner and his supervisor for their time and consideration.

Agreement was reached during the course of the interview that the cited Monchalin et al. reference constitutes non-analogous art, and that therefore the current rejections of record are withdrawn, as constituting an improper combination of references.

Applicant notes further, that the newly cited Hatchek reference is being combined with the Kishida et al. reference without any motivation to do so, and absent any suggestion of how the arrangement shown in Hatchek would be successfully adapted to use in the context of the claimed invention. "It is improper

as a matter of law to use the claims presented as a blueprint to combine prior art references.” *Ashland oil, Inc. v. Delta Resins & Refractories, Inc.* , 227 USPQ 657, 667 (CAFC 1985).

Thus, it is respectfully submitted that the rejected claims are not obvious in view of the cited references for the reasons stated above. Reconsideration of the rejections of claims 7-18 and 21-25 and their allowance are respectfully requested.

Applicant respectfully requests a one (1) month extension of time for responding to the Office Action. Please charge the fee of \$130 for the extension of time to Deposit Account No. 10-1250.

The USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form  
for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,  
JORDAN AND HAMBURG LLP

By C. Bruce Hamburg by:  
C. Bruce Hamburg  
Reg. No. 22,389  
Attorney for Applicant  
and,

By Lawrence J. Wechsler  
Lawrence J. Wechsler  
Reg. No. 36,049  
Attorney for Applicant

Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168  
(212) 986-2340